



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

EAG/FTB  
F. #2018R02344

*271 Cadman Plaza East  
Brooklyn, New York 11201*

March 5, 2021

By FedEx and ECF

Marshall L. Miller, Esq.  
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Re: United States v. Bryan Cho  
Criminal Docket No. 21-040 (AMD)

Dear Counsel:

Enclosed please find additional discovery materials in accordance with Rule 16 of the Federal Rules of Criminal Procedure. As discussed, the government expects to make additional productions on a rolling basis. The government also requests reciprocal discovery from the defendant. The contents of this production are detailed below.

Search Warrant Returns (on enclosed hard drive). Enclosed with this letter is a hard drive containing the returns from the search of an iCloud account. The application for the warrant pursuant to which this search was conducted was previously produced (CHO000026894 – CHO000026934). The hard drive also includes the returns from the execution of a search warrant on the email account of a third party. The application for the warrant was also previously produced (CHO000026949 – CHO000026978). Please note that the government has used a taint team to review the returns for this email account to avoid review of any materials potentially protected by the attorney-client privilege. Only those returns determined not to contain privileged material by the taint team are being produced here.

Search Warrant Materials (on enclosed disc). Also enclosed are various additional search warrant materials, as detailed below:

- Google returns for an account used by the defendant (Bates labeled CHO000028476 – CHO000028481). The search warrant application for this account was previously produced (CHO000026949 – CHO000026978).

- The application for a search warrant for certain location information (Bates labeled CHO000028389 – CHO000028475).
- Copies of documents seized and photographs taken during the execution of search warrants on August 11, 2020 for the defendant's residence and a vehicle (Bates labeled CHO000028238 – CHO000028388).
- Google returns for an email account (Bates labeled CHO000028233 – CHO000028237). The application for the warrant for this account was previously produced (CHO000027215 – CHO000027257).
- A search warrant application and returns for a particular Google account (Bates labeled (CHO000028180 – CHO000028232).
- Search warrant applications for searches executed on January 26, 2021 of the defendant's residence and a vehicle (Bates labeled CHO000027951 – CHO000028179).
- A search warrant application for multiple email accounts used by a third party (Bates labeled CHO000027906 – CHO000027950).

OPM File (on enclosed disc). The contents of the defendant's OPM file are enclosed (Bates labeled CHO000027757 – CHO000027905).

Third Party Documents (on enclosed disc). Documents provided to the government by various third parties are included in the production, as detailed below:

<b>Custodian</b>	<b>Bates Range</b>
Bank of America	CHO000027498 – CHO000027611
DCSA	CHO000027289 - CHO000027300
Experian	CHO000027301 – CHO000027307
Marshall Kesten	CHO000027308 – CHO000027487
Stellar Management	CHO000027612 – CHO000027756
Verizon	CHO000027488 – CHO000027497

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The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow

inspection and copying of (1) any books, papers, documents, data, photographs, tapes, tangible objects, or copies or portions thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely upon at trial, or that were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid unnecessary delays, the government requests that the defendant have copies of those statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony that the defendant intends to use as evidence at trial under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for the opinions, and the qualification of the witnesses.

Very truly yours,

SETH D. DUCHARME  
Acting United States Attorney

By: /s/  
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Assistant U.S. Attorneys  
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Enclosures

cc: Clerk of the Court (AMD) (by ECF) (without enclosures)